

28744. Frozen eggs. (F.D.C. No. 47791. S. No. 20-857 T.)

QUANTITY: 899 30-lb. cans at Fort Worth, Tex.

SHIPPED: 6-19-62, from Hope, Ark., by Delight Egg Farms, Inc.

LABEL IN PART: (Cans) "Whole Eggs * * * Packed by Delight Egg Farms, Inc., Hope, Arkansas."

LIBELED: 7-11-62, N. Dist. Tex.

CHARGE: 402(a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 9-10-62. Consent—claimed by Delight Certified Egg Farms, Inc. Segregated; 112 cans denatured.

28745. Frozen eggs. (F.D.C. No. 48230. S. No. 39-368 V.)

QUANTITY: 25 30-lb. cans at Brooklyn, N.Y.

SHIPPED: 9-24-62, from Perth Amboy, N.J., by Adler Egg Co., Inc.

LABEL IN PART: (Can) "Royal Crown Whole Egg * * * Adler Egg Co., Perth Amboy, N.J."

LIBELED: 10-11-62, E. Dist. N.Y.

CHARGE: 402(a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 11-14-62. Default—destruction.

28746. Frozen eggs. (F.D.C. No. 48494. S. No. 47-886 V.)

QUANTITY: 290 30-lb. cans at St. Louis, Mo.

SHIPPED: 11-20-62, from Chicago, Ill., by Schneider Bros., Inc.

LABEL IN PART: (Can) "Frozen Whole Eggs * * * Packed by Schneider Bros., Inc. Chicago, Ill."

LIBELED: 12-27-62, E. Dist. Mo.

CHARGE: 402(a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 1-30-63. Consent—claimed by Schneider Bros., Inc. Segregated; 81 cans destroyed.

FEEDS AND GRAINS

28747. Medicated animal feeds. (F.D.C. No. 48139. S. Nos. 58-618/20 T.)

QUANTITY: 19 50-lb. bags of a dairy concentrate, 51 50-lb. bags of a cattle-sheep mineral with vitamins, and 12 50-lb. bags of a cattle concentrate, at Hershey, Nebr.

SHIPPED: 1-24-62, from Sheldon, Iowa.

RESULTS OF INVESTIGATION: Examination showed that the dairy concentrate and the cattle-sheep mineral with vitamins contained approximately 50 percent, and the cattle concentrate contained approximately 20 percent, of the declared amount of vitamin A.

LIBELED: 10-10-62, Dist. Nebr.

CHARGE: 402(b) (1)—while held for sale, the valuable constituent, namely, vitamin A, had been in part omitted or abstracted from the articles; and 403(a)—the label statements "Vitamin A not less than 14,500 USP Units/Lb." (dairy concentrate); "Vitamin A 40,000 USP Units/lb." (cattle-sheep mineral with vitamins); and "Each Pound Contains Not Less Than: Vitamin A 100,000 USP Units" (cattle concentrates) were false and misleading, since the articles contained less than the declared amounts of vitamin A.

DISPOSITION: 11-14-62. Default—destruction.

28748. Shelled corn. (F.D.C. No. 43110. S. No. 55-059 M.)

INFORMATION FILED: 7-1-59, S. Dist. Ind., against Altsheler & Payne, a partnership, t/a Trenton Grain Co., Trenton, Ky.

SHIPPED: 8-27-57, from Indiana to Tennessee.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, it bore and contained a pesticide chemical, namely, thiram, which was unsafe within the meaning of 408(a) since no tolerance or exemption from a tolerance for such chemical on shelled corn has been prescribed.

PLEA: Nolo contendere.

DISPOSITION: 9-28-59. \$500 fine, plus costs.

FISH AND SHELLFISH

28749. Perch fillets (2 seizure actions). (F.D.C. Nos. 47704/5. S. Nos. 8-590 T, 62-210 T.)

QUANTITY: 316 ctns., 5 10-lb. boxes each, at Gloucester, Mass.

SHIPPED: These fillets were from fish caught by the fishing vessel "Malolo" in the waters of the Atlantic Ocean outside the territorial limits of Massachusetts, and landed at Gloucester, Mass., on or about 6-16-62.

LIBELED: 7-5-62, Dist. Mass.

CHARGE: 402(a)(3)—contained parasitic copepods when shipped.

DISPOSITION: 7-26-62. Consent—claimed by North Atlantic Fish Co., Inc., Gloucester, Mass. The two actions were consolidated upon motion of claimant. The article was reconditioned by cutting out the parasitic portions.

28750. Frozen grouper fillets. (F.D.C. No. 47807. S. No. 38-907 T.)

QUANTITY: 145 cases, 10 2¼-lb. boxes each, at Omaha, Nebr.

SHIPPED: 6-29-62, from Chalmette, La., by Gourmet Seafoods, Inc.

LABEL IN PART: (Box) "Ocoma Gourmet Seafood Products Frozen Stuffed Red Snapper Fillets—Ingredients: Red Snapper Fillet—Distributed by Ocoma Foods Company, Omaha, Nebraska."

RESULTS OF INVESTIGATION: Establishment inspection of shipper disclosed that grouper fish fillets were used in the preparation of the article and that oleomargarine was used in the coating of the product.

LIBELED: 7-19-62, Dist. Nebr.

CHARGE: 403(a)—when shipped, the name "Stuffed Red Snapper Fillets" and the label statement "Ingredients: Red Snapper Fillet" were false and misleading as applied to a product prepared from grouper fish fillets; 403(b)—the article was offered under the name of another food, namely, stuffed red snapper fillets; and 403(i)(2)—in that the article contained oleomargarine and that ingredient was not listed in its label.

DISPOSITION: 11-1-62. Consent—claimed by Gourmet Seafoods, Inc., and ordered released for relabeling.

28751. Frozen fish sticks. (F.D.C. No. 48486. S. No. 35-807 V.)

QUANTITY: 267 cases, each containing 12 14-oz. pkgs., at Minneapolis, Minn.

SHIPPED: 10-19-62, from Boston, Mass., by Fulham Bros., Inc.